

REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1 and 4-23 are presently active.

In the outstanding Office Action, Claims 1, 9, and 14-23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Le et al (U.S. Pat. No. 6,882,637) in view of Casner et al (RFC 2508 Compressing IP/UDP/RTP headers for Low Speed Serial Links). Claims 7 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Le et al in view of Casner et al. Claims 4-6, 12, and 13 were objected to for being dependent from a rejected base claim but would be allowable if rewritten in independent form to include the limitations of the base claim and any intervening claims.

Firstly, Applicant acknowledges with appreciation the indication of allowable subject matter in Claims 4-6, 12, and 13.

Secondly, Applicant traverses the U.S.C. § 103(a) rejection for the following reasons.

Claim 1 presently defines:

A process for transmitting data between at least one transmitter and at least one receiver removed from the at least one transmitter, in the form of data packets of at least one datum, each of said data packets being associated with an identifier of said data packet,

wherein the process implements at least two transmission modes:

- an explicit mode, wherein each of said data packets, called explicit packets, is transmitted with said identifier of said data packet;
- an implicit mode, wherein said data packets, called implicit packets, are transmitted without being accompanied by said identifiers;

and the process includes at least one first transfer stage from said explicit mode to said implicit mode and/or at least one second transfer stage from said implicit mode to said explicit mode, selection of one of the first and second transfer stages determined as a function of at least one pre-determined transfer criterion associated with the data packet,

wherein said receiver maintains an error flag relating to said data transmission, and

said error flag includes at least two states:

- a raised state after said receiver receives an error message; and
- a lowered state after said receiver correctly receives an explicit packet.

Thus, as is clear, the claimed process permits an explicit mode in which identifiers of packets are transmitted and an implicit mode in which identifiers of packets are not transmitted to both be used in one mode or another.

The Office Action rejects Claim 1 under a combination of Le et al and Casner. With regard to Le et al, the Office Action acknowledges that "it may not be clear from the reference that packets are transmitted without an identifier. Thereafter, the Office Action relies on Casner for a teaching of RFC 2508 which the Office Action assumes can provide a basis for modifying. The Office Action in arriving at this position states on page 3, lines 8-9, that, since compression is used, packets in Le et al are transmitted without sending an identifier.

In response, the examiner's attention is first invited to one of the improvements taught by Le et al:

The present invention is a system and method which provides improved transmission and reception of packets in environments, such as wireless communications, *which are prone to periodic interruption* of packet reception such as that caused by fading, etc. The invention provides improved performance of packet transmission and reception *in comparison to RFC 2508* including elimination of the wrap around problem of the prior art discussed above in FIG. 1. *Proper decoding of a compressed header* in a current packet in accordance with the invention is *not dependent* on correct decompression of an immediately preceding packet *as with RFC 2508*.¹
[emphasis added]

Thus, it is seen that the Le et al invention is not a protocol adopting RFC 2508. Rather, the Le et al is an improvement of the RFC 2508 protocol. So any inferences drawn from RFC 2508 are not necessarily applicable to Le et al. In the claims of Le et al, a synopsis of the Le et al invention with respect to the proper coding and decoding of header (i.e., identifier) information is set forth. Those claims are reproduced below with emphasis added.

1. In a system having a transmitter transmitting *a plurality of packets each containing a header* to a receiver, a method of synchronizing the

¹ Le et al, col. 4, lines 15-26.

transmission of compressed headers between the transmitter and receiver comprising: transmitting a current packet from the transmitter to the receiver containing information that the transmitter is prepared to send subsequently transmitted packets in which *the headers therein* are to be compressed in comparison to the header contained in the current packet; and transmitting from the receiver to the transmitter an acknowledgment packet that the receiver has received the current packet.

2. A method in accordance with claim 1 wherein: *the transmitter stores the header of the current packet which has been acknowledged as being received by the receiver as a reference header* which is used in the transmission of the subsequently transmitted packets as a reference header to be used by the receiver to decompress the subsequent headers; the receiver stores the header of the current packet, which is acknowledged, for decompressing the compressed headers of the subsequently transmitted packets; the transmitter transmits the subsequent packets using the stored header of the current packet as a reference header; and *the receiver uses the stored referenced header to decompress the compressed headers of the subsequently transmitted received packets to produce a full header* which is not compressed.

3. A method in accordance with claim 2 wherein: the *header* of the current packet is a first order compressed header; and *the compressed header* of the subsequently transmitted packets is a second order compressed header.

4. A method in accordance with claim 2 wherein: *the header* of the current packet is a full header; and *the compressed header* of the subsequently transmitted packets is a second order compressed header.

5. A method in accordance with claim 1 wherein: *the header* of the current packet is a first order compressed header; and *the compressed header* of the subsequently transmitted packets is a second order compressed header.

6. A method in accordance with claim 1 wherein: *the header* of the current packet is a full header; and *the compressed header* of the subsequently transmitted packets is a second order compressed header.

Thus, the compression in Le et al preserves header information in a variety of states that can be reproduced to obtain the full header. Hence, Le et al teach a transmitted packet that always contains an identifier of each packet header information. Although at times the header information may be compressed, contains enough information to reproduce the full header and therefore contains a packet identifier. Thus, contradicting the Office's position that the packets in Le et al are transmitted without sending an identifier.

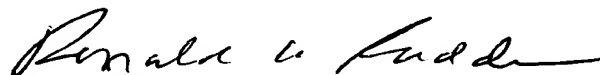
Accordingly, Applicants submit that modifying Le et al to transmit packets without identification, as asserted in the Office Action, teaches away from Le et al, and indeed renders Le et al unsatisfactory for its intended purpose of providing improved transmission and reception of packets in environments, such as wireless communications, which are prone to periodic interruption of packet reception such as that caused by fading, etc.

Thus, for these reasons, the outstanding 35 U.S.C. § 103(a) rejection is improper and should be removed.

Consequently, in light of the above discussions, the outstanding grounds for rejection are believed to have been overcome. The application is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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